

BEFORE THE
Federal Communications Commission
WASHINGTON, D. C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)

THE FIDELIO GROUP, INC.)

For a construction permit)
for a new FM station on)
Channel 282B (104.3 MHz))
New York, New York)

File No. BPH-910502MQ

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To: Chief, Mass Media Bureau

JUL 25 1991

OPPOSITION TO MOTION TO STRIKE

FM EXAMINERS


The Fidelio Group, Inc. ("Fidelio"), by its attorneys, hereby opposes the "Motion To Strike Fidelio's Response and Opposition to Fidelio's Motion for Leave to File Response" filed by GAF Broadcasting Company, Inc.'s ("GAF") on July 11, 1991.

Fidelio's Motion fully set forth the justification for the filing of its Response. Furthermore, Fidelio's previous pleadings have demonstrated that GAF's contention that Fidelio's Application was not timely filed is without merit. Accordingly, no more need be said.

Therefore, the Commission should accept Fidelio's Motion for Leave to File Response and should process Fidelio's Application as timely filed.

Respectfully submitted,

THE FIDELIO GROUP, INC.

By: 
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Its Attorneys

July 24, 1991

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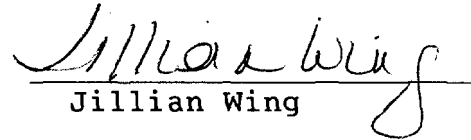
CERTIFICATE OF SERVICE

I, Jillian Wing, a legal secretary with the law firm HOGAN & HARTSON, hereby certify that on this 24th day of July, 1991, a copy of **OPPOSITION TO MOTION TO STRIKE** was mailed, postage prepaid, U.S. mail, to the following:

- * Robert L. Pettit, Esquire
General Counsel
Federal Communications Commission
1919 M Street, NW, Room 614
Washington, D.C. 20554
- * Roy J. Stewart, Chief
Mass Media Bureau
Federal Communications Commission
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* ~~Stuart D. Redell, Esquire~~

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Jillian Wing